

PROB 12C  
(6/16)

Report Date: October 18, 2016

## **United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT 19 2016

SEAN F. McAVOY, CLERK DEPUTY  
SPOKANE, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Russell Allen Clinger

Case Number: 0980 2:11CR00098-WFN-1

Address of Offender: Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: February 14, 2012

Original Offense: Failure to Register, 18 U.S.C. § 2250(a)

Original Sentence: Prison - 41 months Type of Supervision: Supervised Release  
TSR - 36 months

## Revocation Sentence

11/17/2015: Prison - 3 months  
TSR - 33 months

Asst. U.S. Attorney: Matthew F. Duggan Date Supervision Commenced: February 15, 2016

Defense Attorney: Robert R. Fischer Date Supervision Expires: November 14, 2018

## **PETITIONING THE COURT**

**To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 07/07/2016.**

## To Issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**2** **Special Condition # 17:** The defendant shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. The defendant shall contribute to the cost of treatment according to his ability to pay. The defendant shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Mr. Clinger violated his conditions of supervised release in Spokane, Washington, by being terminated from chemical dependency treatment at Alcohol Drug Education Prevention and Treatment (ADEPT) on October 11, 2016. The undersigned officer received a phone call from ADEPT staff stating that Mr. Clinger was being terminated due to continued noncompliance. He is no longer considered amenable to

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chemical dependency treatment. On October 14, 2016, the undersigned received documentation from ADEPT discharging him from chemical dependency treatment for noncompliance.

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**Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Clinger violated his conditions of supervised release in Spokane, Washington, by failing to submit urinalysis tests on August 30, and September 8 and 20, 2016.

U.S. Probation respectfully recommends that the Court issue a summons requiring Mr. Clinger to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 18, 2016  
s/Corey M. McCain  
Corey M. McCain  
U.S. Probation Officer

#### THE COURT ORDERS

- [ ] No Action
- [ ] The Issuance of a Warrant
- [ ] The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- [ ] Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- [ ] Other

L. M. McCain  
Signature of Judicial Officer

10/19/16  
Date